

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JAVIER CRUZ, on behalf of himself :
and all other persons similarly situated :
 :
Plaintiff, :
 :
 :
-against- :
 :
DRIMIA INC. d/b/a BACK STAGE DELI, INC., :
A New York corporation, :
 :
Defendant. :
-----X

**COMPLAINT AND
JURY DEMAND**

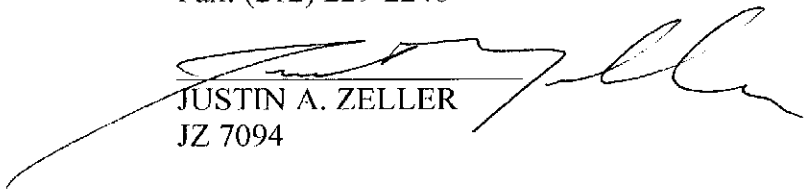
07 CV 6923
(Keoltl, J.) (Freeman, M.J.)

PLAINTIFF'S NOTICE OF FILING ADDITIONAL NOTICE OF CONSENT TO JOIN

Pursuant to the Federal Rules of Civil Procedure and the collective action mechanisms governing the Fair Labor Standards Act, Plaintiff Javier Cruz gives notice of filing the additional notice of consent to join executed by Jose Morales, an employee similarly situated to Plaintiff who wishes to join this lawsuit, and who was subjected to the same illegal pay practices and policies of Defendant at issue in this lawsuit.

DATED this 10th day of December, 2007.

THE LAW OFFICE OF JUSTIN A. ZELLER, P.C.
251 West 14th Street, 5th Floor
New York, NY 10011
Tel: (212) 229-2249
Fax: (212) 229-2246


JUSTIN A. ZELLER
JZ 7094

NOTICE OF CONSENT TO JOIN

By my signature below, I hereby authorize the filing and prosecution of claims in my name and on my behalf to contest the failure of Backstage Deli/Dinnig Inc. to pay me overtime wages as required under state and/or federal law and also authorize the filing of this consent in the action(s) challenging such conduct. I authorize the representative plaintiffs and designate them class representatives as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with Plaintiffs' counsel concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit.

10/25/07
DATE


CLIENT SIGNATURE